

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- I & CAD Department- Disciplinary action initiated against Sri B. Hari Prasad, Assistant Executive Engineer, and 12 others for the irregularities in execution of Handri Neeva Sujala Sravanthi (HNSS) canal including CM & CD works in package 23 in Kurnool district – Disciplinary finalized - Imposing a penalty of withholding of one increment without cumulative effect – orders issued.

IRRIGATION & CAD(SER.X.1) DEPARTMENT

G.O.Rt.No: 188

Dated: 17-02-2012

Read the following:

1. G.O.Rt.No.143, I & CAD (Ser.X.1) Dept., dt. 01.02.2008.
2. G.O.Rt.No.892, I & CAD (Ser.X.1) Dept., dt. 16.7.2008.
3. From the GA(COI-CK) Dept., D.O.Ir.No. 1255/COI-CK/A1/2008, dt. 21.01.2010.
4. Memo. No. 19363/Ser.X.1/2006-21, Dt: 04.10.2010
5. Representation of Sri B. Hari Prasad, Assistant Executive Engineer , NHSS Anantapur, dt. 2-12-2010.

O R D E R:

It was brought to the notice of the Government that certain irregularities took place in the execution of works in package No. 23 of Handri - Neeva Sujala Sravanthi Project, and Sri B. Hari Prasad, Assistant Executive Engineer , HNSS Anantapur and 12 other personnel of Irrigation Department were responsible for the irregularities. Therefore Government have initiated disciplinary action against Sri B. Hari Prasad, Assistant Executive Engineer and 12 others and issued AOCs against them. After detailed examination of the WSSDs of the Charged officers, the case was entrusted to the COI appointing Smt. Chandana Khan , IAS, as Inquiry authority to conduct detailed Inquiry on the charges framed against Sri B. Hari Prasad, Assistant Executive Engineer ,and 12 others vide reference 2nd read above. The Inquiry officer has submitted the inquiry report in the reference 3rd read above.

Government after careful examination of the inquiry report, have disagreed with the findings of the inquiry officer and communicated the Inquiry report to Sri B. Hari Prasad, Assistant Executive Engineer, under Rule -21, of APSCS (CCA) Rules, 1991, along with the observations thereof with a direction to submit his explanation if any in the matter within 15 days from the date of receipt of this Memo., failing which it was to be construed that there was no explanation to submit and further action was to be taken exparte.

“ As per the MB, the Agency has recorded abstract bill of LS VI & Part bill, where in the rate for earth work excavation was adopted as Rs. 138/- cum and the AEE has signed the bill besides the site engineer and General Power of Attorney holder of the Contractor as token of acceptance of the bill. While submitting the bill to the Deputy Executive Engineer he has to verify whether the bill was prepared and the rates adopted are as per the conditions of agreement and as per payment schedule approved by the Employer. If there was any discrepancy the AEE has to correct or reject the bill at his level. But the Assistant Executive Engineer has submitted bill to the Dy. Executive Engineer at a higher rate of Rs. 138/- cum as furnished by the agency.

In spite of clear cut agreement conditions the AEE has consciously ignored the Ann-II Payment schedule incorporated in the agreement and the approved payment schedule approved by the Superintending Engineer and submitted LS III & Part bill with earth work excavation rate at Rs. 138/- per cubic meter (instead of Rs. 110.12 per cum as pointed out by V&E authorities) ignoring the fact that the total amount if worked out at this rate for this component of work would exceed the percentage specified for this item in Annexure – II schedule of payment.

In view of the above the charge that the AEE has submitted abstract of bills (Lump Sum III & Part bill) recommending for payment for earthwork excavation at higher rate Rs. 138/- cum without considering the approved payment schedule as per annexure –II payment schedule of agreement which was in violation of agreement conditions.

As per Section No. 9 of A.P.P.W. 'D' code , the measuring officer must satisfy himself that the work has been done according to the agreement and relevant plans, measure and record the measurements of the different items of work in a job, at suitable intervals, in the order of sequence of these items, in a work. In the case of items of work which are likely to be covered up after some time, (e.g., foundations) such items should be measured up as soon as each item is completed or reaches as well-defined and measurable stage and got checked measured by the next superior officer.

The agency has recorded the measurements of the reach in which he was in-charge of the work in the MB. The Asst. Executive Engineer signed at the end of the recorded measurements as a token of acceptance of the measurements. During the physical verification of work by V & E authorities on 23-6-06 i.e after four months of check measurement of Lump Sum VI & part bill, it was observed that the work in the reach, was not completed as per the specifications / design section.

As per the levels taken by the V & E staff during their inspection, it was clear that payments were made for the reaches where work was not completed as designed sections / levels and agreement conditions. The V&E authorities had also video graphed the whole reach during their verification of pack: 23 from 26-6-06 onwards. The Third Party Quality Control authorities have issued quality certificates by mentioning the canal reaches that the work has been completed as per designs and specification, though the work was not completed as per agreement conditions (unit length or designs). The Quality Certificates were issued without verification in the site and without conducting relevant tests.

Even though, the Third Party Quality Control authorities have issued quality certificates that work has been completed as per designs and specifications, it is the prime responsibility of the Assistant Executive Engineer to satisfy himself that the portion of reaches for which payment was recommended has been completed in all respects as per agreement conditions and check measure the works. During recording the measurements if any excess measurements were found recorded by the agency, such portions of work were to be deleted from the purview of the payment. But this was not done while submitting the bill.

In view of the above, it was clear that the Assistant Executive Engineer had signed measurements recorded by the agency for the work knowing pretty well that the work was not completed at the time of recording the measurements.

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In the reference 5th read above, Sri B. Hari Prasad, Assistant Executive Engineer, has submitted representation stating that the EPC system was a new one, and there was no excess payment was paid to the contractor, and there was no financial loss to Govt. as observed by the Inquiry Authority. He has therefore, requested to exonerate him from the charges .

Govt. after careful examination of the matter, has decided, and hereby order to impose a penalty of withholding of one increment without cumulative effect on Sri B. Hari Prasad, Assistant Executive Engineer for the irregularities in execution of Handri Neeva Sujala Sravanthi (HNSS) canal including CM & CD works in package 23 in Kurnool district, as the explanation submitted by the C.O to the show cause notice was not convincing .

The Engineer-In-Chief (Admn.Wing) I & CAD Department, Hyderabad, shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B. Hari Prasad, Assistant Executive Engineer
through the Engineer-In-Chief (Admn.Wing) I & CAD Dept.,
Hyderabad.

Copy to :

The Engineer-In-Chief (Admn.Wing) , I & CAD Dept.,
Hyderabad.

//FORWARDED: : BY ORDER//

SECTION OFFICER